



OFFICE OF THE CITY ATTORNEY

Hand Delivery

September 21, 2004

Mr. Bert Hartsfield Leon County Property Appraiser Leon County Courthouse Room 111 301 South Monroe Street Tallahassee, FL 32301

Re:

Parcel ID No. 142740 0001

Foxcroft Unit II

Dear Bert:

I thank you for inquiring about this matter. We previously in detail reviewed the title information regarding this pond at the request of the Foxcroft Neighborhood Association. As your records correctly indicate, title to the pond remains in the entities who developed the subdivision, i.e. the Foxcroft II Joint Venture, with the parties referenced in your letter. The property has not subsequently been conveyed to the City or the County.

As indicated in my attached letter, the public received an easement for drainage pass through when the property was platted but did not receive the fee simple interest in the property, nor did it accept a dedication with the requisite maintenance responsibilities. We have also confirmed that the City has never maintained the stormwater pond.

If I can provide any additional information, please do not hesitate to call.

Sincerely,

Jemes R. English Lity Attorney

JRE/pb

attachment

300 S. Adams St. Box A-5 Tallahassee, FL 32301-1731 850/891-8554 -- 850/891-8973 fax TDD: 711-talgov.com John R. Marks, III Mayor

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City Auditor

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